Mr. DEPUTY SPEAKER.—The question is :

" That the Mysore Prohibition Bill, 1959, be taken into consideration. "

The motion was adopted

MOTION TO REFER TO A SELECT COMMITTEE

Sri M. C. NARASIMHAN (K.G.F.).—I beg to move :

"That the Mysore Prohibition Bill, 1959, be refered to a Select Committee consisting of the following Members.—

1. Sri J. B. Mallaradhya
2. ,, V. Srinivasa Shetty
3. ,, Veerendra Patil
4. ,, G. Venkatai Gowda
5. ,, B. Vaikunta Baliga
6. ,, F. X. Denis Pinto
8. ,, Ramakrishna Hegde
8. ,, C. M. Arumugham
9. ,, C. J. Muckannappa. "

Mr. DEPUTY SPEAKER.—Motion moved:

"That the Mysore Prohibition Bill, 1959, be referred to a Select Committee consisting of the following Members.—

1. Sri J. B. Mallaradhya
2. ,, V. Srinivasa Shetty
3. ,, Veerendra Patil
4. ,, G. Venkatai Gowda
5. ,, B. Vaikunta Baliga
6. ,, F. X. Denis Pinto
7. ,, Ramakrishna Hegde
8. ,, C. M. Arumugham
9. ,, C. J. Muckannappa. "

†Sri M. C. NARASIMHAN.—Sir, it was said that out of these nine Members of the Select Committee there were more Members from the Opposition. I would not suggest that there should be only nine Members on the Select Committee ; more members from the Congress side may be added. I have no objection to include more members from the Congress Party. Even if there are only one or two members from the Opposition I have no objection. This is a very important measure. The very fact that it has gone on for two or three days and the Minister has had to reply at length shows that this is a very important Bill and that a serious departure from the existing laws prevailing in old Mysore, Madras and Hyderabad areas has been made. Whether we like it or not, in spite of the assertion of the Minister that there is considerable backing of public opinion for this measure, it is admitted on all hands that it is still a controversial

(Sri M. C. NARASIMHAN)

measure. So far as prohibition is concerned we on the Opposition side agree that this is an ideal to be achieved, but the measures contemplated in this Bill to achieve that ideals are not such as calculated to achieve this ideal. In a select committee we can bring home this point to the Government more forcefully and suggested the ways and means by which some of the constructive suggestions can be incorporated in this measure. It is not merely making a law, but it also involves taking administrative and social measures which are necessary for making it a success. All this could be taken care of in a spirit of good will and mutual agreement in a select committee rather than in open discussion in the full House. Also we have been seeing that Government have been referring all and sundry Bills to select committees. For instance the Warehouse Bill and other non-controversial Bills on which there was very little difference of opinion were sent to select committees. So there is no reason why this important measure on which there is difference of opinion should not be to a select committee. I have no objection to state in the motion that the select committee should submit its report before the close of the current session so that time may not be wasted and the Bill may be passed in the current session itself and put on the statute book.

With these words I request the Government to reconsider their stand and accept this motion for reference of the Bill to a select committee.

Sri M. RAMAPPA (Harihar).—Sir, I had sent notice of an amendment, but I am told that technically it cannot be moved. So I may be allowed to make a few observations on this amendment. The present motion for referring this Bill to a select committee cannot be said to be delaying tactics as the Congress Party has done so previously in the case of the Land Reforms Bill. I would submit that this is an important Bill and so this could be discussed fully in the select committee and the select committee can be asked to submit its report during the course of this session itself so that there may not be delay in the passage of this Bill. Whenever the Congress want to adopt delaying tactics they send the Bill to a Joint Select Committee, but that is not my intention.

[Mr. SPEAKER in the Chair.]

That is not my intention. The idea is to find out why prohibition has been a failure. Let us sit in the Joint Select Committee and discuss as to why it was not a success. Probably the Minister may succeed in convincing the members of the Joint Select Committee about the need and the methods for enforcing prohibition, which, I am afraid, he cannot do in this House by making a lengthy speech. Probably if we are convinced by his arguments in the Select Committee, we may even support the Bill.

Mr. SPEAKER.—Sri Ramappa may move his motion also because his motion pertains to reference to a Joint Select Committee.

Motion to refer with Joint Select Committee.

Sri M. RAMAPPA.—I beg to move:

"That the Mysore Prohibition Bill 1959 be referred to a Joint Select Committee consisting of a total of 11 members, 8 Members from the Legislative Assembly and 3 Members from the Legislative Council, and that the concurrence of the Legislative Council be obtained therefor and that the following members of this House be the Members of the Joint Select Committee"

1. Sri J. B. Mallaradhya.
2. ,, H. M. Channabasappa.
3. ,, V. Srinivasa Shetty.
4. ,, M. C. Narasimhan.
5. ,, Ramakrishna Hegde.
6. ,, U. M. Madappa.
7. ,, H. K. Veeranna Gowdh.
8. ,, C. J. Muckannappa.

Mr. SPEAKER.—Motion moved:

"That the Mysore prohibition Bill, 1959, be referred to a Joint Select Committee consisting of a total of 11 Members, 8 Members from the Legislative Assembly and 3 Members from the Legislative Council, and that the concurrence of the Legislative Council be obtained therefor and that the following members of this House be the Members of the Joint Select Committee"

1. Sri J. B. Mallaradhya.
2. ,, H. M. Channabasappa.
3. ,, V. Srinivasa Shetty.
4. ,, M. C. Narasimhan.
5. ,, Ramakrishna Hegde.
6. ,, U. M. Madappa.
7. ,, H. K. Veeranna Gowdh.
8. ,, C. J. Muckannappa.

†Sri M. Ramappa.—Sir, I was submitting to the Hon'ble Minister that it would be in the interest of all concerned, if we sit together in a committee for two or three days. The report of the Committee may be submitted within a week and, I can assure him if this is done that we on this side would not take much time an the amendments. It can be passed within a day. I request that he should not take an adamant attitude in this regard. We will give him a chance to convince us that by adopting certain measures, they would be able to make prohibition a success. Our present stand is that prohibition is bound to end in failure because in the very nature of things it is not enforcible. It is

(Sri M. RAMAPPA)

not as if we are in favour of people drinking and getting poor and miserable. Is it not the duty of the Minister to convince us if he is so confident that his stand is good. I request the minister to stand to the occasion and like a real democrat accept my motion for reference to a Committee.

(Sri G. VENKATAI GOWDA *rose*)

Mr. SPEAKER.—It is not necessary to make lengthy speeches on this motion. It is simple enough. The question is whether the Minister is going to accept it. If not, I will put it to the House.

†Sri VEERENDRA PATIL.—Sir, I am very sorry I am unable to accept the motion of my friends, mainly because I feel no need for referring this bill to a Select Committee. Originally the intention was to discuss this bill for 3½ hours. The Hon'ble Members on that side have now taken 3 full days and all the Hon'ble Members who desired to participate, have spoken. In view of this I do not feel the necessity of referring the bill to a Select Committee.

Mr. SPEAKER.—The question is :

"That the Mysore Prohibition Bill, 1959, be referred to a Select Committee consisting of the following members"

1. Sri J. B. Mallaradhya.
2. ,, V. Srinivasa Shetty.
3. ,, Veerendra Patil.
4. ,, G. Venkatai Gowda.
5. ,, B. Vaikunta Baliga.
6. ,, F. X. Denis Pinto.
7. ,, Ramakrishna Hegde.
8. ,, C. M. Arumugham.
9. ,, C. J. Muckannappa.

The motion was negatived.

Mr. SPEAKER.—The question is:

"That the Mysore Prohibition Bill, 1959, be referred to a Joint Select Committee consisting of a total of 11 Members, 8 members from the Legislative Assembly and 3 Members from the Legislative Council, and that the concurrence of the Legislative Council be obtained therefor and that the following members of this House be the Members of the Joint Select Committee.

Sriyuths:—

1. J. B. Mallaradhya.
2. H. M. Channabasappa.
3. V. Srinivasa Shetty.
4. M. C. Narasimhan.
5. Ramakrishna Hegde.
6. U. M. Madappa.
7. H. K. Veeranna Gowdh.
8. C. J. Muckanrappa.

The motion was negatived.

Mr. SPEAKER.—Now we will take up clause-by-clause reading.

Clause 2

Sri V. SRINIVASA SHETTY.—I beg to move:

"That in item (10) (*d*), for the words "an excisable article", the words "excisable article" shall be substituted."

Mr. SPEAKER.—amendment moved:

"That in item (10) (*d*), for the words "an excisable article", the words "excisable article" shall be substituted."

†Sri V. SRINIVASA SHETTY.—Sir, this is a simple amendment. It is not a substantive amendment. Since the sub-clause has used the plural in the beginning, I feel that the word "excisable" which is in singular, is gramatically wrong. It should be plural throughout. It is a small thing which the Minister may or may not accept.

Sri VEERENDRA PATIL.—I have no doubt that this is a simple amendment. I have gone through this clause and also the wording of the amendment. I do not find the necessity for the amendment. The intention is to define an excisable article and what it includes is mentioned in plural. Therefore the clause as worded now is appropriate.

Sri J. B. MALLARADHYA.—I think this is a simple matter. From the gramatical point of view the amendment is necessary.

Sri K. PUTTASWAMY.—The motion has been moved. The mover has explained his amendment. and the Minister has replied. I thought that was the end of the matter.

Sri J. B. MALLARADHYA.—Is the Hon'ble Member devising a new procedure for the House. I am on my .egs.

Sri K. PUTTASWMY.—I am speaking on a point of order. After the Minister has explained his case and rejected the, amendment, can there be further discussions The only course is to put the amendment to the House. The Hon'ble Leader of the Opposition cannot now seek to explain something and treat the Members like school-children.

(Sri J. B. MALLARADHYA *rose*)

Mr. SPEAKER.—I do not think we should discuss it. The only question is whether the Minister has replied or not.

Sri VEERENDRA PATIL.—I have given my point of view. According to me, there is no necessity for this amendment. I request the Hon'ble mover to withdraw the amendment.

Sri U. M. MADAPPA.—The leader of the Opposition only intervened when the Minister was speaking. To say that he is treating the Members like s hool-children is a serious thing.

Mr. SPEAKER.—When the Minister says that he has finished what can I do.

Sri J. B. MALLARADHYA.—Sir, the point is this, if you allow me...

Mr. SPEAKER.—He says that he has finished his speech.

Sri J. B. MALLARADHYA.—If an obvious mistake is there, is not for me to point out ? I appeal to the Chair.

Mr. SPEAKER.—Now the Government is not going to accept. That is obvious such minor corrections can be made during the third reading.

The question is :

"That in item (10) (*d*), for the words "an excisable article", the words "excisable articles" shall be substituted."

The amendment was negatived

Mr. SPEAKER.—There is another amendment standing in the name of Sri G. N. Puttanna. He is not here. So it cannot be moved. Another amendment is in the name of Srinivasa Shetty. He may move.

Sri V. SRINIVASA SHETTY.—Sir, I beg to move:

"That in item (28), the words "and also includes any member of a Committee or the Medical Board", shall be deleted."

Mr SPEAKER.—Amendment moved:

"That in item (28), the words "and also includes any member of a Committee or the Medical Board", shall be deleted."

†Sri V. SRINIVASA SHETTY.—Sir, this is a dangerous provision which is introduced in this Bill. Because non-official members, members of the prohibition committee and even doctors could invest under the Bill with the powers of Prohibition Officer. Now under Clause 99, I am only referring to one clause, Clause 99 the prohibition officers can act as Police Officers, enter houses, arrest person and do so many other things. Do the Government feel that they could authorise non-official members of the prohibition committees to enter houses, prepare search lists, seize articles and arrest persons ? It is not a very simple matter. If these powers are given to non-official members, we do not know to what ultimate disastrous things we are driving at in this wonderful Bill. This is a simple matter which we don't want.

Sri K. PUTTASWAMY.—Even If non-officials are given this power, they will not come forward.

Sri V. SRINIVASA SHETTY.—Sir, my friend Mr. Puttaswamy thinks it is a dangerous provision, but says that it need not be used. Sir, is it a very valid argument. We can say death sentence, but we are not going to use. That is the kind of argument that my friend uses. It is a wonderful argument.

Sri K. PUTTASWAMY —I am sorry my argument was misunderstood. No non-official will come forth to exercise those powers.

Sri V. SRINIVASA SHETTY.—Sir, there may be unscrupulous non-officials who may come forward and who are prepared to exercise those powers. There may be unscrupulous Governments who may come forward. Then what about the fate of the people. What is their position then ? That is way I said that it is a dangerous provision. My Hon'ble friend may not be here. The Hon'ble Minister may not here The Government party may not be there. It does not matter who. But such provisision should not be on the law. I plead with the Minister. It is not for or against the provision. It is a dangerous provision. It is a dangerous provision which should not be there. I request the Hon'ble Minister to see that it is not on the statute book.

Sri VEERENDRA PATIL.—There need not be further discussion on this. I have no objection to accept the amendment.

Sri M. RAMAPPA.—Sir, I am raising a point of order. The Hon'ble Minister cannot say that there need not be further discussion.

(INTERRUPTION)

ಅಧ್ಯಕ್ಷರು.—ಅವರು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತಿದ್ದರೂ ತಾವೇಕೆ ಹೀಗೆ ಮಾಡುತ್ತೀರಿ ?

I will put the amendment to vote.

The question is :

"That in item (28), the words "and also includes any member of a Committee or the Medical Board" shall be deleted."

The amendment was adopted.

Mr. SPEAKER.—There is another amendment in the name of Sri Puttanna. He is not here. So I will put Clause 2 to the House.

The question is :

"That Clause 2, as amended, stand part of the Bill"

The motion was adopted.

(Clause 2. as amended was added to the Bill).

Clauses 3, 4 *and* 5

Mr. SPEAKER.—The question is:

"That Clauses 3, 4 and 5 stand part of the Bill."

The motion was adopted

(Clauses 3, 4 and 5 were added to the Bill.)

Clause 6

Mr. SPEAKER.—For clause 6, there is an amendment, One in the name of Sri Srinivasa Shetty. He may move it.

Sri V. SRINIVASA SHETTY.—Sir, I beg to move:

"That sub-Clause (2) shall be deleted."

Mr. SPEAKER.—Amendment moved:

"That sub-Clause (2) shall be deleted."

†Sri V. SRINIVASA SHETTY.—Sir, I do not wish to repeat the same argument, as I used earlier. The same arguments hold good. This is also a similar subc-lauses which invests non-officials with certain powers. As far as possible, that should be eschewed.

Sri VEERENDRA PATIL.—Since this is a consequential amendment, I accept it.

Mr. SPEAKER.—The question is:

"That sub-clauses (2) shall be deleted."

The amendment was adopted

Mr. SPEAKER.—A simlar amendment is in the name of Sri Narasimhan, which has been accepted. There is another amendment in the name of Sri Puttanna. He is not here. I will put the clause.

The question is:

"That Clause 6, as amended, stand part of the Bill."

The motion was adopted

(Clause 6 as amended was added to the Bill).

Clauses 7, 8, 9, 10 *and* 11

Mr. SPEAKER.—The question is:

"That Clauses 7, 8, 9, 10 and 11 stand part of the Bill."

The motion was adopted

(Clauses 7, 8, 9, 10 and 11 were added to the Bill.)

Clause 12

Mr. SPEAKER.—There is an amendment to Clause 12.

Sri V. SRINIVASA SHETTY.—Sir, I beg to move:

"That in item (*k*) for the word "aforesaid" the words "enumerated in (*a*) to (i)" shall be substituted."

Mr. SPEAKER.—Amendment moved.

"That in item (*k*) for the word "aforesaid" the words "enumerated in (*a*) to (i)" shall be substituted."

†Sri V. SRINIVASA SHETTY.—Sri, I have got objection to (j) being included. Clause 12 reads:

"Save in the manner and to the extent provided by or under the provisions of this Act or in accordance with the terms and conditions of a licence, permit, pass or authorisation granted thereunder, no person shall— * * *

(k) allow any of the acts aforesaid upon premises in his immediate possession."

5-00 P.M.

For example, suppose I take a bottle of liquor on my person and go to the house of the Excise Minister. Unless he checks me before I go into his house, he will not be in a position to find out whether I have got liquor bottle on my person or not. After entering his house, suppose I consume liquor after I take my food and sleep in a room. So, the point is whether the Minister can be held responsible for the consumption of liquor in his house by a quest. This is preposterous position, and this will lead to a dangerous situation. A person may have a number of guests and they may carry liquor bottles with them in their hip pockets. So, the host or the owner should not be held responsible for unintended acts without their knowledge. This is a dangerous position. Upto (*i*) I agree and sub-clause (*j*) should not be there. This is a simple amendment which may be accepted.

†Sri VEERENDRA PATIL.—Sir, this cannot be a simple amendment. This Clause 12 defines which acts are prohibited under this Bill. If he wants consumption or use of liquor or any intoxicating drug to be exempted, then I think the very purpose of this Bill will be defeated.

Sri V. SRINIVASA SHETTY.—I am sorry he has not understood me. If the owner allows, he is guilty. I have nothing against consumption being punished. The owner may allow without knowing what it is.

Sri VEERENDRA PATIL.—How can an owner allow consumption and use of intoxicating liquor without his knowledge?

Sri K. PUTTASWAMY.—The point made out by Sri Srinivasa Shetty is this. Whether the owner is to be made liable for the offence whether he knows it or not. If he knows it, he can be made liable. For example suppose some guest comes to his house and without his knowledge takes intoxicating drink, is the host to be punished for that offence that the guest commits clandestinely?

†Sri M. C. NARASIMHAN.—As the sub-clause stands now, the accused or the owner must prove that he did something to prevent the consumption of liquor in his premises. This will be very difficult to prove in a court of law and such a provision will defenitely lead to mischief. Simply because somebody comes into his compound or gerage, not even within the four walls of his house, without his knowledge, it would certainly fair and equitable to penalise the owner. There must be something more than allowing. He must have definite knowledge or there must be connivance. Unless there ingredients are there, it will be unfair to penalise the owner for the offence committed by his guest, without his knowledge.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಮಂತ್ರಿಗಳು ನಿನ್ನೆ ದಿನ ಒಂದು ಮಾತನ್ನು ಅಪ್ಪಣೆ ಕೊಡಿಸಿ ಬ್ಯಾರೆ. ಡಾ. ನಾಗೂರ್ ಅವರು ಮಾತನಾಡುತ್ತಾ, ಯಾರೋ ಒಬ್ಬರ ಮನೆಯಲ್ಲಿ ಇಪ್ಪೆಲ್ಲಾ ಪ್ರತ್ಯಕ್ಷವಾಗಿ ನಡೆಯುತ್ತಿತ್ತಂತೆ. ಅಂದ ಮೇಲೆ ಮಂತ್ರಿಗಳು ಈಗೆಲ್ಲಾ ಅಂಥಾದ್ದು ಏನಿಲ್ಲಾ ಅಂದರೆ ಹೇಗೋ ಆ ಪಾರ್ಟಿಯವನ್ನು ಮುಚ್ಚಟ್ಟುಕೊಂಡು ಬಂದು ರೂಮಿನಲ್ಲಿ ಬಾಗಿಲು ಹಾಕಿ ಕೊಂಡು ರಾತ್ರಿ ಒಂಬತ್ತೂವರೆ ಘಂಟೆಯಾದ ಮೇಲೆ ಒಳಗೇ ಕುಡಿದರೆ ಅದಕ್ಕೆ ಯಾರು ಜವಾಬ್ದಾರರು ? ಮಂತ್ರಿಗಳೇ ಅಥವಾ ಮತ್ಯಾರು ?

Sri VEERENDRA PATIL.—How can the Minister is held responsible and where does the question of owner come here ? According to this clause, he who consumes or uses liquor or any intoxicating drug is only penalised and not the owner or anybody else.

Mr. SPEAKER.—In this case, 'allowing' means allowing with know ledge, with consent or with connivance.

Sri VEERENDRA PATIL.—'Allowing' means with knowledge.

Mr. SPEAKER.—There have been rulings of the courts where they held that possession means possession with knowledge. Supposing somebody comes to my house and places one or two bottles of liquor there I must know that there are bottles in my house. 'Allow' means 'allow with knowledge'.

Sri M. C. NARASIMHAN—The onus of proving that he did something to prevent consumption will lie on the owner. This will lead to some difficulty.

Mr. SPEAKER—The burden of proof is there on the prosecution also.

Sri V. SRINIVASA SHETTY.—Sir, I beg to withdraw my amendment.

The Amendment, was by leave of the House withdrawn.

Mr. SPEAKER.—The question is :

"That Clause 12 stand part of the Bill."

The motion was adopted

Clause 12 was added to the Bill.

Mr. SPEAKER.—The question is :

"That Clauses 13, 14 and 15 and 16 stand part of the Bill.

The motion was adopted.

Clause 13, 14, 15, and 16 were added to the Bill.

Clause 17

Sri V. SRINIVASA SHETTY.—I move :

"That in sub-clause (1) (a), after the word 'prepration', a the words 'or juice' shall be inserted."

Mr. SPEAKER.—Amendment moved :

"That in sub-clause (1) (a), after the word 'preparation', the words 'or juice' shall be inserted."

† Sri V. SRINIVASA SHETTY.—Sir, my amendment is very simple.

"The State Government may, by notification and subject to such conditions as it thinks fit, direct that—

(*a*) any preparation containing alcohol not exceeding a specified percentage by volume, or

(*b*) any liquor or intoxicating drug prepration containing such liquor or drug, and required for medicinal, scientific, industrial or such like purpose, shall be exempted from any of the provisions of this Act or rules regulations or orders made thereunder."

I do not what the idea of the Government is ? There may be some cases wherein say, one or two per cent of alcohol in the beverages. The Government should exempt such things. Such a provision exists even in the American legislation. For example take Neera. Mathematically even neera contains some percentage of alcohol. It is all question of degree. As day grows it becomes toddy. There will be fermentation. So, I do not know how my friend by swearing the names of Mahatma Gandhi, Acharya Vinoba Bhave and our revered President, did not think about this. As Mahatma Gandhi himself has said neera is one of the exceptions. In my own district I may say that thousands of persons live by tapping neera. By stating like this in the Bill, I say that the minister is taking a grave risk because this goes against the tappers there. Lakhs and lakhs of people are drinking neera. My Hon'ble friend said many things but I do not wish to elaborate on this point. He quoted several persons but I will quote only one or two sentences from the report of the Andhra Prohibition Enquiry Committee, the members of which were Sri S. V. Murthy, I.C.S., B. Satyanarayana Rao and Sri N. Ranganathan. The Hon'ble Minister quoted the names of saints but I quote the names of mundane persons who have experience but these things. The recommendations of that Committee was "toddy may be allowed without a permit." They have said not only neera but toddy also. I have some experience in this because I have worked in courts and I know how it is done. It is by advance condition that neera becomes toddy. After all what is the percentage of alcohol in wincarnis ? It is about 19 or 20 or 30 percent. But this toddy contains two or three per cent of alcohol. They have said that if we allow persons to drink toddy they will not take arrack and there will not be illcit distillation. Therefore I have introduced a very innocent amendment and I request the Government to allow it. To-day the Hon'ble Minister is very obstinate but tomorrow he may be wise if he accepts my amendment. So I request the Government to accept this.

† Sri M. C. NARASIMHAN.—Sir, I want one clarification. Sometime back the Hon'ble Minister said that the Government's policy at the moment is to stop all neera shops but that is not the permanent policy. Some time latter the Government may revise that policy. But when they re-introduce that, this provision will came in the way. Preparation containing alcohol can never be alcohol. Afterall it is from natural extraction from tree and that cannot come within the definition of preparation of alcohol. If what the Hon'ble Minister says seems to be the policy of the Government, there should be no difficulty in accepting this.

† Sri VEERENDRA PATIL.—There appears to be some confusion. For licensing, the tapping of neera there is altogether a separate provision. I invite the attention of the Honble Minister to Clause 25 in which licensing of tapping of toddy can be given. Therefore, in view of that clause I do not think that insertion of this word "juice" is necessary. If the argument of the Honble Member is only about neera, then we need not accept this because there is a separate provision for that. If the Hon'ble Member means that toddy should be licensed then, It goes against the policy of the Government and therefore I cannot accept it.

Mr. SPEAKER.—The question is :

"That in sub-clause (1) (*a*) after the word 'preparation' the words 'or juice' shall be inserted."

The amendment was negatived.

Mr. SPEAKER.—There is another amendment by Sri F. X. Dennis Pinto. He is not present.

The question is:

"That Clause 17 stand part of the Bill".

The motion was adopted.

Clause 17 was added to the Bill.

Mr. SPEAKER.—Clause 18. There is an amendment but the member is not present. The question is:

That Clause 18 stand part of theBill".

The motion was adopted.

Clause 18 was added to the Bill.

Mr. SPEAKER.—The question is:

"That Clause 19, 20, 21, and 22 stand part of the Bill."

The motion was adopted.

Clauses 19, 20, 21 and 22 were added to the Bill.

Mr. SPEAKER.—Clause 23. There is an amendment. The Member is not present. The question is :

"That Clause 23 stand part of the Bill."

The motion was adopted.

Clause 23 was added to the Bill.

Mr. SPEAKER.—The question is :

"That Clause 24 stand part of the Bill".

The motion was adopted.

Clause 24 was added to the Bill.

Mr. SPEAKER.—Clause 25. There is an amendment but the member is not present. The question is :

That Clause 25 stand part of the Bill."

The motion was adopted.

Clause 25 was added to the Bill.

Mr. SPEAKER.—Clause 26.

Sri D. H. RUDRAPPA.—I beg to move :

"That in sub-clause (2) for the words and figures 'the Mysore Excise Act, 1959', the words and figures 'the Mysore Excise Act, 1901, or any corresponding law in force in any area of the State' shall be substituted".

Mr. SPEAKER.—Amendment moved :

"That in sub-clause (2) for the words and figures 'the Mysore Excise Act, 1959', the words and figures 'the Mysore Excise Act, 1901, or any corresponding law in force in any area of the State' shall be substituted."

Sri D. H. RUDRAPPA.—Sir, this is a very simple amendment. Hon'ble Members know that this Act is in force from 1901 and it is only a printing error and I hope the Hon'ble Minister will accept the amendment.

Sri VEERENDRA PATIL.—I accept the amendment.

Mr. SPEAKER.—The question is :

"That in sub-clause (2) for the words and figures 'the Mysore Excise Act, 1959,' the words and figures 'the Mysore Excise Act, 1901, or any corresponding law in force in any area of the State' shall be substituted."

The amendment was adopted.

Mr. SPEAKER.—The question is :

" That Clause 26, as amended, stand part of the Bill."

The motion was adopted.

Clause 26, as amended, was added to the Bill.

Mr. SPEAKER.—The question is :

" That Clauses 27 to 31, both inclusive stand part of the Bill."

The motion was adopted.

Mr. SPEAKER.—Clause 32.

Sri V. SRINIVASA SHETTY.—I beg to move :

"That in Sub-Clause (1) for the word 'health', in line 2, the word 'general', shall be substituted and the words 'for the preservation or maintenance of his health' shall be deleted."

Mr. SPEAKER.— Amendment moved :

"That in Sub-Clause (1) for the word 'health', in line 2, the word 'general', shall be substituted and the words 'for the preservation or maintenance of his health', shall be deleted."

Sri M. C. NARASIMHAN.—I beg to move :

"That in Sub-Clause (1), the words 'for the preservation or maintenance of his health' shall be deleted."

Mr SPEAKER.—Amendment moved :

"That in sub-clause (1), the words 'for the preservation or maintenance of his health' shall be deleted."

†Sri V. SRINIVASA SHETTY.—Sir, the Government do not say that they are going to give permits for drinking at all. We know that permits are being given indiscriminately. Of course, there is a method in madness also, Some officers give permits to somebody. The obvious publicised reason is 'health'. Am I to understand that all those persons who hold permits now and who drink day in and day out under the guise of health will collapse if permit is refused to them? I say it is fraud. I request the Government to be more honest. That is all. Permits are now being granted without much difficulty. People who can afford get permits even now. I simply say drop this fraud and be more honest and so drop the word 'health'. My amendment makes it very convenient also. We know it may be a habit. Coffee, tea and even smoking is a habit. Snuff is also a habit. It is not easy to give up all these things. In fact I gave up smoking and I have not collapsed. Even if a person who drinks gives up drinking he will not collapse. It is only in rare cases that such a thing happens. If they are going to prohibit liquor I can understand. They are not able to do that. They are issuing permits and under the guise of permits you drink. Even Ramamurthy Committee said that arrack may be allowed on permit on daily ration in specified shops, In Sweden they have got that and you can drink up to 3 or 4 drams. You cannot drawn yourself in liquor, but drinking rationally up to a certain limit is allowed. You also allow here. Only you have to pay Rs. 15 and get a permit or in some cases it may be more. I request you to be more honest and more practical and follow some reasonable procedure. I have the greatest respect for our Saints Mahatma Gandhi our Revered President and Vinobhaji or Sriman Narayan, But I am not prepared to follow their word with regard to Prohibition.

Sri C. M. ARUMUGHAM.—Do you include 'Sriman Narayan' as a Saint ?

Sri V. SRINIVASA SHETTY.—Sriman Narayan is a God. But I am speaking about their Sriman Narayan. So, Sir, we shall not simply quote Sri Ramamurthy. Sri Ramamurthy has said that it is not by legislation that we can introduce prohibition. Sri Ramamurthy has quoted Mahatma Gandhi that by legislation and by coercion no prohibition can be introduced. My friend also quoted others. We can quote everybody just like Devil quoting scriptures. We shall not quote scriptures in support of our cause. This is a very practical thing. We shall have prohibition, but prohibition which is practical, but not dishonest or fraudulant prohibition. So, it is a very reasonable amendment which I am pressing. I have realised that he is very reasonable Minister and when occasion arises and when there is reason I am sure he is prepared to concede to reason. It is a reasonable amendment and I request my Hon'ble friend to a accept it which will take away fraud.

†Sri M. C. NARASIMHAN.—Sir, eithter there should be no room for Clause 32 ; I can understand that because there should be no health permit or no exemption at all. In point of fact, Sriman Narayan's prohibition Enquiry Committee definitely made a recommendation that here should be no exemptions at all. Now, the Government think it necessary that such a serious and stringent recommendation of the prohibition Enquiry Committee is either not practical or on other rounds or consideration it is not necessary, and they have got to liberalise the whole thing. Supposing this clause stands as it is. Our personal fear is that it is only the propertied classes or the richer classes that will be in a position to get medical certificates and influence the authorities in the area to secure permits, and not others. Statistically you can find out whether it is not a fact that no worker in any area and no poor person in any area will be able to secure such certificates. As my friend has said, it is necessary to remove that clause make it correspond to reality of the situation today.

5-30 P. M.

There is another point also. After all, this word 'liquor' is sufficiently worded in item (19) of the definition clause. It is not merely spirits of wine, denatured spirits, wine, etc. It is all liquids containing will come within the ambit of that definition. Some liquid contains less than 5 per cent of alchohol. If it contains more than decided percentage, it leeds to intoxication. It is necessary for saying that the person concerned should obtain medical certificate. So I suggest that in support of my amendment as well as Sri Srinivasa Shetty's amendment, it will be in fairness that the whole clause be deleted.

Sri Y. VEERAPPA.—In supporting these amendments, I wish to make a few remarks. This provision is fundamentally repugnant to the very provisions of the Act. As my friend has already submitted, there will

(Sri M. C. NARASIMHAN)

wide scope for people playing fraud and in these days of scientific advancement there are proper medicines to be prescribed by doctors. Therefore liquor cannot be the only thing which goes to help the people or the individuals who are affected, to preserve their health. If the Government is really sincere in putting provision or the law into strict operation, I think this provision is really repundant or necessary. Therefore. I submit that these amendments may be accepted in the interests of the policy of the Government and also in the interest of the people so as to prevent the people from playing fraud.

ಅಧ್ಯಕ್ಷರು .—ಗೊತ್ತಾಗಿರುವ ಕಾರ್ಯಕ್ರಮದ ಪ್ರಕಾರ ಇದು ಆರು ಘಂಟೆಗೆ ಮುಗಿಯಬೇಕೆಂದಿದೆ.

† ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಸ್ವಾಮಿ, ನಾವು ಇವತ ಮುಂದೆ ಎಷ್ಟು ಹೇಳಿದರೂ ಏನೂ ಪ್ರಯೋಜನವಿಲ್ಲ. ಕಲ್ಲು ದೇವರಿಗೆ ಇಷ್ಟು ಹೇಳಿದ್ದರೆ ವಾಪಸಾದ ಕೊಡುತ್ತಿತ್ತು. ಜನರಿಗೆ ತೃಪ್ತಿಯಾಗುತ್ತಿತ್ತು. ಆದರೆ ಈ ದೇವರಿಗೆ ಎಷ್ಟು ಹೇಳಿದರೂ ಏನೂ ಇಲ್ಲ.

ಒಂದು ಕಡೆ ಮದ್ಯಪಾನಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬಾರದು, ಅದು ಆರೋಗ್ಯಕ್ಕೆ ಒಳ್ಳೆಯದಲ್ಲ ವೆಂದು ಹೇಳುತ್ತಾರೆ. ಇನ್ನೊಂದು ಕಡೆ ಮದ್ಯ ಆರೋಗ್ಯಕ್ಕೆ ಬೇಕೆಂದೂ ಇದರ ನೆವನೆಗೆ ಪರ್ಮಿಟ್ ಕೊಡಬೇಕೆಂದು ಹೇಳುತ್ತಾರೆ. ಇಂಥವರಿಗೆ ಯಾವ ಅಖಾಡದಲ್ಲಿ ಯುದ್ಧ ಮಾಡ ಬೇಕೋ ಗೊತ್ತಿಲ್ಲ. ದೇಶದಲ್ಲಿ ಪಾನನಿರೋಧ ಕಾನೂನನ್ನು ಬಹಳ stringent ಆಗಿ ತರ ಬೇಕೆಂದು ಹೇಳಿ, ತರುತ್ತಿದ್ದಾರೆ ; ಇನ್ನೊಂದು ಕಡೆ ಕುಡಿಯುವುದಕ್ಕೆ ಪರ್ಮಿಟ್ ಕೊಡಿ ಎಂದು ಹೇಳುತ್ತಾರೆ. ಈ ರೀತಿ ಮಾಡಿರುವುದರಿಂದ ಆದಳಿತ ನಡೆಸುವ ಅಧಿಕಾರಿಗಳ ಕೈವಾಡ ಎಷ್ಟು ಪ್ರಬಲವಾಗುತ್ತದೆಂಬುದನ್ನು ನೋಡಬೇಕು. ಜನರು ಡಾಕ್ಟರುಗಳ ಹತ್ತಿರ ಹೋಗಿ 'ಪಿಸ್ಕ್ರಿಪ್ಷನ್' ತೆಗೆದುಕೊಳ್ಳಬೇಕು. ಡಾಕ್ಟರಿಗೆ ಏನಾದರೂ ಹಣ ಕೊಡದೆ ಇದನ್ನು ಕೊಡುವುದಿಲ್ಲ. ಬ್ರಾಂದಿ, ಜಿಂ. ವಿಸ್ಕಿ, ರಮ್, ಅಥವಾ 'White Horse,' or 'Red Horse' ಇವನ ಶರೀರವನ್ನು ಹೊಕ್ಕರೆ ಇವನು ಬದುಕುತ್ತಾನೆ, ಇಲ್ಲದಿದ್ದರೆ ಇಲ್ಲ ಎಂದು ಡಾಕ್ಟರು ಬರೆದುಕೊಡಬೇಕು. ಅವನ ಕೈ ನ್ವಲ್ಪ ಬಿಸಿಯಾದರೆ ಮಾತ್ರ ಇದು ಸಾಧ್ಯ. ಆಮೇಲೆ ಪರ್ಮಿಟ್ ಪಡೆಯುವುದಕ್ಕಾದರೆ ಖರ್ಚು ಮಾಡಬೇಕು. ಹಾಗೆ ಪೋಲೀಸರಿಗೆ ಡಾಕ್ಟರಿಗೆ ಹಣ ಕೊಡಬೇಕು. ಒಂದು ಕಡೆ ಕುಡಿಯ ಬಾರದೆಂದು ಹೇಳಿ ಇನ್ನೊಂದು ಕಡೆ ಪರ್ಮಿಟ್ ಕೊಟ್ಟರೆ, ಗಂಡ, ಹೆಂಡತಿ, ಮಕ್ಕಳು ಎಲ್ಲರೂ ಕುಡಿಯುತ್ತಾರೆ. ಹೀಗೆ ಕುಡಿಯುವುದನ್ನು ಸರ್ಕಾರ ಕಲಿಸಿದಂತಾಗುತ್ತದೆ. ಕಾನೂನು ಮಾಡಬೇಕಾದರೆ, ಅನುಭವ ಇರಬೇಕು. ಬುದ್ಧಿ ಇರಬೇಕು. ಇಲ್ಲದಿದ್ದರೆ ಅನುಭವಶಾಲಿಗಳು ಹೇಳಿದರೆ ಕೇಳಬೇಕು. ಯಾವುದಿಲ್ಲದಿದ್ದರೂ ಬೇಡ ಕಾನೂನು ಮಾಡುತ್ತೇವೆ ಎಂದು ಹೇಳಿದರೆ ಹೇಗೆ. ಡೆಪುಟಿ ಕಮೀಷನರ ಕಛೇರಿಯ ಗುಮಾಸ್ತನಿಂದ ದಾಕ್ಟರು ಪೋಲೀಸರವರೆಗೆ ಹಣ ಖರ್ಚು ಮಾಡಿದರೆ, ಆ ದೆಲ್ಲರೂ ಪಾಲುದಾರರಾಗುತ್ತಾರೆ. ಗುಮಾಸ್ತ ತನಗೂ ಒಂದು ಡಜನ್ ಕೊಟ್ಟರೆ ಬೇಗ ರಾಜು ಮಾಡಿಸಿಕೊಡುತ್ತೇನೆಂದು ಹೇಳಬಹುದು. ಇದೆಲ್ಲ ಬೇಡವೆಂದು ನನ್ನ ಅಭಿಪ್ರಾಯ. ವಿನಾಯಿತಿಯೇ ಬೇಡ ಚಿತ್ರದುರ್ಗದಲ್ಲಿ ಟಿ. ಬಿ.ಯಲ್ಲಿ ಪೋಲೀಸ್ ಆಫೀಸರ್ ತಹಶೀಲ್ದಾರರು ಇವರೆಲ್ಲರೂ ಏಕೆ ಕುಡಿದರು ?..... ..

ಅಧ್ಯಕ್ಷರು.—ಅದು "*subjudice*" ಅದರ ವಿಷಯ ಮಾತನಾಡುವುದು ಸರಿಯಲ್ಲ.

Sri C. J. MUCKANNAPPA.—I am only referring to an incident which has just occurred.

Sri M. RAMAPPA.—The matter is not yet referred to the court. We hear that Government is not going to place a charge-sheet against those persons.

ಶ್ರೀ ಬಿ. ರಾಚಯ್ಯ.—'ಕುಡಿದವರು ಎಂದು ಹೇಳಿದರು' ಅವರ ಮೇಲೆ ಕೇಸ್ ಹಾಕಿದರು ಎಂದು ಹೇಳಲಿಲ್ಲ.

Sri C. J. MUCKANNAPPA.—I am only referring to an incident where even officers are involed in such kind of things.

ಪರ್ಮಿಟ್ ಕೊಡಲು ಅವಕಾಶವಿದ್ದರೆ ನನಗೆ ಕ್ಯಾನ್ಸರ್, ನನಗೆ ಜಾಂಡಿಸ್, ನನಗೆ ಬಾಣಂತಿ ಖಾಯಿಲೆ ಇತ್ಯಾದಿ ಖಾಯಿಲೆಗಳ ನೆಪ ಹೇಳಿ ಅನೇಕರು ಪರ್ಮಿಟ್ ತೆಗೆದುಕೊಳ್ಳುತ್ತಾರೆ. ಹೀಗಿರುವಾಗ ಏಕೆ ಈ ಅವಕಾಶ ಮಾಡಿರುವುದೋ ನನಗೆ ಅರ್ಥವಾಗಿಲ್ಲ.

Mr. SPEAKER.—I am very much hard-pressed for time. He had better finish his speech.

ನೀವು ಎಷ್ಟು ಹೇಳಿದರೂ ಇಷ್ಟೆ ಅವರು ಒಪ್ಪುತ್ತಾರೋ ಇಲ್ಲವೋ ಗೊತ್ತಿಲ್ಲ.

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ —ಅವರ ಕೈಲೇ ನಾವು ತಿದ್ದುಪಡಿ ಮಾಡಿಸುತ್ತೇವೆ. ನಾವು ತಿದಿ ಕೊಳ್ಳಿ ಎಂದು ಹೇಳುತ್ತೇವೆ. ಈ ಪರ್ಮಿಟ್ ಪದ್ಧತಿ ತೆಗೆದುಹಾಕಿ ಎಂದು ತಮ್ಮ ಮೂಲಕ ಅವರಿಗೆ ಹೇಳುತ್ತೇನೆ.

Mr. SPEAKER.—Let us now finish this clause and a few other clauses. At the apointed hour we will see what should be done.

Sri J. B. MALLARADHYA.—There are only twenty minutes left and we have a number of amendments.

Mr. SPEAKER.—If he goes on like that, we will not be able to finish.

Sri J. B. MALLARADHYA.—It is not a question of general discussion; clause by clause. You cannot stifle discussion. I want every amendment to be given a fair chance. I don't want that a few should be given more chance and others left out. With that view I request that we proceed further.

†Sri C. M. ARUMUGHAM (K. G. F.).—Sir, in this section it is said the health permits would be given. Does it mean that by taking liquor, we can maintain health? If a person produces a health certificate, Government would give him permit to use liquor. I ask, whether they are going to examine everybody in the State? When they say that consumption of liquor is injurious and so they want to introduce prohibition, how can they allow these health permits to be issued and allow people to drink? However, they accept that by taking liquor, health could be maintained. So far as poor people and workers are concerned, it would be almost impossible for them to obtain health certificates as they have to pay heavily to the doctors to obtain the certificates. Sir, I do not know whether liquor included toddy also. Only poor people and workers drink toddy. Mr. Narasimhan was saying that 60 per cent of the workers in K. G. F. drink. I do not know how far it is true. But, I know that even expert doctors say that toddy suits to the health of the workers. Are the Government going to examine this fact? The Minister said that this Bill is brought to have a uniform law in respect of prohibition throughout the State.

(Sri C. M. ARUMUGHAM)

Sir, so far as old Mysore area is concerned, prohibition was introduced in the times of Sri K. C. Reddy, when he was the Chief Minister here. In the Act that was passed then, this clause of giving health permit was not there. Therefore, they must say that whoever that requires, he may be given. There is nothing wrong. We are not prepared to accept what is in existence in Bijapur or Dharwar. We are here to follow what was in vogue in the old Mysore Area. We are not here to simply copy what is in existence in Bombay or Andhra or Madras. This is only a collection of all the sections from the Acts of other States. There is no originality in this. Therefore, Sir, I support the amendment moved by my friend.

Sri VEERENDRA PATIL (Minister for Excise and Prohibition).—Sir, I am sorry, I cannot accept this amendment as it goes to the very root of the prohibition policy. The statement made by my friend Sri Srinivasa Shetty that health permits would be given indiscriminately is not correct. Health permit is given only in exceptional cases and we are very cautious in granting such permits. With regard to issue of permits and on what conditions these permits should be issued will all come under the rules to be framed and that power is there under sub-clause (2). So, we will see that these health permits are granted only in exceptional cases and the conditions would be incorporated while framing the rules. All the views expressed by Hon'ble Members in this respect will also be taken into consideration while framing the rules. I think, this will satisfy my friend and he may not press his amendment.

Mr. SPEAKER.—I will put the amendment of Sri Srinivasa Shetty. The question is :

> "That In sub-clause (1) for the word 'health', in line two the word "general" shall be substituted and the words 'for the preservation or maintenance of his health' shall be deleted."

The amendment was negatived

Mr. SPEAKER.—I will put Sri M. C. Narasimhan's amendment to the vote of the House. The question is :

> "That in sub-clause (1), the words 'for the preservation or maintenance of his health' shall be deleted."

The amendment was negatived.

Mr. SPEAKER.—Sri Khot is not here. Sri Srinivasa Shetty may move his amendment.

Sri V. SRINIVASA SHETTY.—Sir, I move :

"That sub-clause (2) of clause 32 shall be deleted."

Sri V. SRINIVASA SHETTY.—Sir, I have advanced all the arguments which I can advance in respect of this. It follows that the Government when they take powers to issue permits will frame rules to

issue permits. Such permits should be granted and shall be subject to such further conditions as may be prescribed. This whole thing is not necessary. The Government will always have the discretion to regulate the issue of permits for such quantities as they want. To say that the Government which is the issuing authority have no control over this affair, is preposterous. There is no difficulty. They can also restrain themselves when they issue permits and frame rules. Under the general provisions of the Act, they have got powers to frame rules. They can frame rules regarding the quantity of liquor to be issued. So, I suggest that this sub-clause may be deleted.

†Sri M. C. NARASIMHAN.—Sir, I want to know what are the further conditions envisaged. I can understand in relation to quantity. What are the further conditions that the Hon'ble Minister envisages? If there is any abuse of the licence or permit there is already a separate section which takes care and action envisaged by the Government. What are the further conditions that the Government envisages is a point that should be clarified.

†Sri VEERENDRA PATIL.—What should be clarified, what should be the procedure that should be prescribed to issue permits—all these points would be prescribed under the rules.

Mr. SPEAKER. The question is:

"That sub-clause shall be deleted."

The amendment was negatived

Mr. SPEAKER.—I will put the clause. The question is:

"That Clause 32 stand part of the Bill."

The motion was adopted

Clause 32 was added to the Bill.

Mr. SPEAKER.—Clauses 33 and 34. The question is:

"That Clauses 33 and 34 stand part of the Bill."

The motion was adopted

Clauses 33 and 34 were added to the Bill.

Clause 35

Mr. SPEAKER.—Clause 35.—There is an amendment by Sri Khot. Sri Khot is not here. I will put the clause: The question is:

"That Clause 35 stand part of the Bill."

The motion was adopted.

Clause 35 was added to the Bill.

Mr. SPEAKER.—Clause 36. There is an amendment. Sri Mohamed Ali may move his amendment.

Clause 36.

Sri MOHAMED ALI—Sir, I beg to move :

"That in sub-clause (1), after the words "for the use ofliquor for sacremental purposes,' the words 'or for the manufacture of liquor for use for sacremental purposes,' shall be added',

Mr. SPEAKER.—Amendment moved.

"That in sub-clause (1), after the words "for the use of liquor for sacremental purposes,' the words 'or for the manufacture of liquor for use for sacremental purposes' shall be added"

†Sri MOHAMED ALI.—A special quality of liquor is required for sacremental purposes. The quantity of liquor required is much less. That is a few drops. But it is a special quality of liquor which has got very few contents of alchohol has to be imported and nowhere in the country this type of liquor is being manufactured, because it is not required on a commercial basis. It is required only for religious rites and for sacremental purposes, on the occasion of certain ceremonies this particular type of liquer is required. And provision is to be found in the prohibition Act of the Madras State and even is the Bombay State where they have allowed or given authority to the Government to give licence for the manufacture of this type of liquor. The amendment proposed is intended to empower the Government to give licence or permit for the manufacture of liquors required for sacremental purposes. I hope the Hon'ble Minister will kindly accept this amendment.

Mr. SPEAKER.—Sri Pinto also has sent a similar amendment. His amendment covers two grounds and if Sri Mahomed Ali's amendment is accepted, the first portion will not survive and the second portion will survive; and if it is thrown out, it will be consequentially thrown out.

Sri VEERENDRA PATIL.—The amendment moved by Mr. Mahomed Ali appears to be reasonable and I accept the amenment Sir.

Mr. SPEAKER.—The question is.

"That in sub-clause (1), after the words 'for the use of liquor for sacremental purposes' the words 'or for the manufacture of liquor for use for sacremental purposes', shall be added"

The amendment was adopted.

Sri M. C. NARASIMHAN.—I press for a division.

Mr. SPEAKER.—I put the motion again to the House. The question is.

"That in sub-clause (1), after the words 'for the use of liquor for sacremental purposes' the words 'or the manufacture or liquor for use for sacremental purposes', shall be added".

The motion is carried by a large majority.

6-00 P. M.

Mr. SPEAKER.—I will now call upon Sri Pinto to move his amendment. Before I call upon him to move the amendment I have to make a suggestion to him. I have slightly modified his amendment to read "in line 2 of the proviso the words 'or manufacture' shall be inserted"

Sri F. X. DENIS PINTO.—Now that the amendment moved by Sri Mohamed Ali is passed by the House I am not pressing my amendment, at the same time I want to make certain observations about the criticism of the Opposition.

Sri J. B. MALLARADHYA.—I rise to a point of order.

Sri F. X. DENIS PINTO.—I am not moving the amendment.

Mr. SPEAKER.—He is under a mistaken impression. His amendment is consequential and we will have to move it.

Sri M. C. NARASIMHAN.—When he has already said that he is not moving his amendment, how can you compel him to move it.

Sri J. B. MALLARADHYA.—He did say, that he was not moving his amendment,

Mr. SPEAKER.—When a member says that he does not want to move his amendment, the House will have to agree. I pointed out to him that since Sri Mohamed Ali's amendment had been accepted, his amendment was a consequential one and that it would have to be moved even if he said that he did not want to move it.

Sri. J. B. MALLARADHYA.—I am not sure if according to the Rules the leave of the House is required for withdrawing it.

Mr. SPEAKER.—Yes.

Sri J. B. MALLARADHYA.—I am sorry. I do not know if the leave of the House is necessary.

Mr. SPEAKER.—No amendment can be withdrawn without the leave of the House.

Sri J. B. MALLARADHYA.—When he is not moving the amendment itself how does this question arise.

Sri F. X. DENIS PINTO.—I am pressing the second part of the amendment.

Sri J. B. MALLARADHYA.—My friend Sri Pinto rose and said in the beginning that he is not going to move the amendment. If he accepts that he made a mistake and he wants to move it, I am prepared to agree it, but if he does not say that, I rise to a point of order.

Sri F. X. DENIS PINTO.—I want to move the amendment.

Mr. SPEAKER.—Why did he say he did not want to move it?

Sri F. X. DENIS PINTO.—Only the first part I do not want to move.

Mr. SPEAKER.—Then he can move the second part.

Sri F. X. DENIS PINTO.—I beg to move.

"That in line 2 of the proviso to sub-clause (1), the words 'or manufacture' shall be added."

MR. SPEAKER.—Amendment moved.

"That in line 2 of the proviso to sub-clause (1), the words 'or manufacture' shall be added."

Sri F. X. DENIS PINTO.— Sir, I want to insert the words "or manufacture" because there is great difficulty for the religious clergy among Catholics to get a particular kind of wine for sacrifice to be offered during Mass. As you know, Roman Catholic priests have to offer sacrifice in their Churches at the time of Mass and for this a particular kind of wine made of pure grape is necessary. Nowadays they are unable to get that on account of exchange regulations. Formerly they were allowed to import this kind of wine which is called Mass wine from places in Europe, Portugal or Spain. Since the export and import regulations have come in, import of Mass wine has been practically stopped.

Sri C. J. MUCKANNAPPA.—Why did you not protest ;

Sri F. X. DENIS PINTO.—In this connection there have been a lot of agitation and protests from religious heads who wanted that they should be allowed to manufacture this particular kind of wine from grapes. The Bombay Government had allowed the religious heads to manufacture this.

Sri M. C. NARASIMHAN.—Will you point out the particular provision in the Bombay Act ?

Sri F. X. DENIS PINTO.—under the rules they had allowed licence for the manufacture of this particular kind of wine. To quote one instance the Bishop of Belgaum has been allowed to manufacture this wine under the Bombay Act.

Sri C. J. MUCKANNAPPA.—Unlimited quantities ?

Sri F.X. DENIS PINTO.—The quantity is stipulated. They have got about 50 churches in their jurisdiction and they are allowed to manufacture a limited quantity of mass wine.

Sri C. J. MUCKANNAPPA.—What is that quantity ?

Sri F. X. DENIS PINTO.—That will be according to the needs of each church. The head of each church will mention the quantity required and accordingly licence will be given.

Sri M. C. NARASIMHAN.—This is rather important and Sri Pinto should have clarified one or two points.

MR. SPEAKER.—This is simply a consequential amendment. What is there to speak on this ?

Sri M. C. NARASIMHAN.—We had no opportunity to make observations on the other amendment.

Mr. SPEAKER.—There is no question of that because Member have already accepted Sri Mohamed Ali's amendment. This is only consequential to that.

Sri M. C. NARASIMHAN.—It is not exactly consequential.

Mr. SPEAKER.—It is consequential.

Sri M. C. NARASIMHAN.—I submit that it is not consequential.

Mr. SPEAKER.— When It is said that manufacture of liquor is allowed for sacramental purposes, the Deputy Commissioner must come to give permit.

Sri M. C. NARASIMHAN.—There are two different things. The first portion of the clause says "for sacramental purposes". You may say that the use of such liquor is necessary according to the religious tenets of the person. The religious tenets of a person may say that the use of a particular liquor is necessary, but no religious tenet says that the manufacture of liquor is necessary. The two things are entirely different and so they cannot be consequential.

Mr. SPEAKER.—He explained that such and such a kind of wine was not available.

Sri M. C. NARASIMHAN.—The point is not clear. The amendment as it stands may mean that the manufacture of a particular wine is required by a religious tenet. It is actually not so.

Sri J. B. MALLARADHYA.—In view of the fact that there are a number of amendments left extention of time may be required for tomorrow because there are 60 amendments more. I move that the time of consideration of this Bill be extended by another day.

Sri KADIDAL MANJAPPA.—There was a definite understanding that the discussions on this bill should end today in all its stages.

Sri J. B. MALLARADHYA.— If you want this Bill to be passed without any discussion, please do so. But do not create an impression that we are impeding the progress of the Bill.

Sri KADIDAL MANJAPPA.—If the House is willing to forgo the question hour, we can sit for one hour tomorrow and dispose of this Bill.

Sri J. B. MALLARADHYA.—We are not prepared under any circumstances to forego the question hour. What is the mighty importance of this bill. We cannot sacrifice question hour.

Sri KADIDAL MANJAPPA.—I leave it to the Chair. I am of the view that one hour tomorrow should suffice for disposal of this bill.

Sri J. B. MALLARADHYA.— Having regard to the number of important amendments still remaining to be considered, I suggest we take a practical view.

Mr. SPEAKER.—Let us now review how we are proceeding in this matter. After all we had allotted 3½ hours for this Bill. Then a proposal to extend it by two days was accepted. The Leader of the Opposition asked for one day more. That was also agreed to. Now another day is being asked for.

Sri J. B. MALLARADHYA.—Why is the Chair treating us as the accused in this case?

Mr. SPEAKER.—No. Not that. I can only plead on behalf of the Business Advisory Committee, of which the Hon'ble Leader of the Opposition is also an important Member. I submit that when allotting time for Bills, we should give sufficient thought to the time that may be required for each Bill. I am afraid it would not be correct to change the allotted time in this manner. I hope this point will be borne in mind by the members of the Business Advisory Committee in allotting the time. It may not be proposed to ask for extension of time so frequently.

Sri J. B. MALLARADHYA.—In this particular case, though I am asking for an extension of the whole day to-morrow, it is likely that the discussions may be over early and we can proceed with the other Bills. I am only asking liberally so that again I may not come up with a request for extension. We on this side are not anxious to prolong the time.

Mr. SPEAKER.—I will agree to that Suggestion subject to the condition that if the Bill is finished within one hour, the other Bills should be taken up.

Sri J. B. MALLARADHYA.—Yes, certainly. But the question hour should not be eliminated.

Mr. SPEAKER.—No, that will not be eliminated. But les us try to finish the consideration of this Bi l as early as possible. The House will now rise and meet to-morrow at 8-30 A.M.

The House adjourned at Fifteen Minutes past Six of the Clock to meet again at Thirty Minutes past Eight of the Clock on Saturday, the 26th August 1961.

WD 6612—GPB—500—(L.A. New)—19-3-67